

# **Scrutiny Protocol between the Scrutiny Members of Carlisle City Council, Eden District Council and the Carlisle and Eden CDRP**

## **Introduction**

In recent legislation, there has been a renewed emphasis on the importance of Local Authority scrutiny of Crime and Disorder Reduction Partnerships (CDRPs). This protocol aims to define the relationship between the Carlisle and Eden CDRP and the scrutiny Members of Carlisle City Council and Eden District Council.

What this document does:

- Provides basic details of what scrutiny of the Carlisle and Eden CDRP will look like;
- Gives some idea of what the CDRP can reasonably expect from the Scrutiny Members and, in return, what Scrutiny can reasonably expect from the CDRP;
- Gives an indication of how the joint Carlisle and Eden scrutiny panel and the individual scrutiny panels of Carlisle and Eden will work;

What this document does not do:

- This protocol is no more than a guide – it is not meant to be comprehensive or to be a legally binding document on the parties;
- Fix exactly how scrutiny will operate for the foreseeable future – the protocol should be refreshed at regular intervals to ensure that it remains meaningful for all parties;

## **The Carlisle and Eden Crime and Disorder Reduction Partnership**

The Carlisle and Eden CDRP exists to reduce crime, anti-social behaviour and the fear of crime in both districts. It comprises Carlisle and Eden District Councils, Cumbria County Council, the North Cumbria Primary Care Trusts, Cumbria Constabulary, Cumbria Fire Authority, Cumbria Probation Service and Cumbria Police Authority.

## **Scrutiny Structures**

The requirement to scrutinise crime and disorder matters (and CDRPs) lies with the two individual authorities, Carlisle City Council and Eden District Council. Carlisle City Council has designated the Community O&S Panel as the relevant panel and Eden District Council has designated the Housing and Community Panel.

However, mindful of the official guidance that scrutinising CDRPs should be done to minimise duplication and ensure that the burden on the CDRP is reasonable, the majority of scrutiny of the CDRP will be carried out by a new, joint scrutiny panel comprising Members from the relevant Eden and Carlisle Scrutiny Panels.

## **Purpose of Scrutiny**

Scrutiny is all about accountability and challenge. The term 'critical friend' is often used to describe the role. As far as the CDRP is concerned, the scrutiny should focus on the strategic work of the CDRP, rather than the operational, day-to-day work of the partnership. Within the guidance, it is clear that the Government intends local authority scrutiny to assist with linking the work of the CDRP to the community at large. Of course, scrutiny Members and the CDRP have a shared responsibility to the local communities they serve. Scrutiny Members in particular can be considered to be representatives of the community in carrying out their work. Nevertheless, the scrutiny panel may consider co-opting representatives from particular sections of the community onto the joint scrutiny panel to strengthen the scrutiny process.

## **What Scrutiny can expect from the Crime and Disorder Reduction Partnership**

For scrutiny to work well, there needs to be a healthy relationship between the scrutiny Members and the CDRP – particularly the members of the leadership group. This begins with a recognition from the CDRP that scrutiny has a right to carry out an examination of the partnership's work. With the 'critical friend' idea in mind, one can imagine that the relationship should be robust and respectful. There are four key areas that the scrutiny Members will need help from the CDRP:

- Access to information – if the Scrutiny Members ask for information that the CDRP Partners have, they should provide it in the manner requested as soon as is practicable;
- Attendance at meetings – written information is useful but good scrutiny centres on question and answer sessions in meetings. With this in mind, the scrutiny panel will often need to request the attendance of CDRP partners at its meetings – it is important that those attending are of the appropriate level of seniority to answer the questions of the scrutiny panel. In some cases, use could be made of video or audio conferencing facilities;
- Responding to scrutiny recommendations – at the end of a scrutiny session, the scrutiny Members will make resolutions that summarise what they conclude, what (if anything) they think should be changed and who is responsible for making that change. It is vital that these resolutions are carefully considered by the CDRP Leadership Group and that they respond in writing. This is particularly important where the CDRP does not agree with the scrutiny resolution – the response should set out the response and the reasoning behind it. Scrutiny Members should expect a response as soon as is practicable and within 8 weeks.
- When scrutiny Members want to consider an issue in depth, they will often set up a Task and Finish Group to do some research work. Such a group will usually produce a final report that summarises their findings and makes a number of recommendations. These reports will need to be approved by the whole Panel

before the recommendations they contain are referred on to the CDRP Leadership Group. Again, it is very important that the outcomes from these pieces of work are considered carefully by the CDRP Leadership Group and, again, that a written response to each of the relevant recommendations is sent back to the scrutiny Members.

It should be underlined that all requests made under these areas must be reasonable and done with the purpose of enabling effective scrutiny.

There is also a more general obligation upon the CDRP when considering matters of strategy to consider consulting the Scrutiny Panel. To this end, good links must be established between the Leadership Group and the Scrutiny Members along with the officers that support the CDRP and the Scrutiny Members.

### **What the CDRP can expect from Scrutiny**

The CDRP can reasonably expect that Scrutiny will consider issues in a timely manner and not impose undue burdens upon it – the requests made by Scrutiny must be based around scrutiny fulfilling the ‘critical friend’ role. The overall burden should be considered by scrutiny Members when setting their work programme – both in terms of the number of meetings at which CDRP representation is required but also in requests for information and responses to recommendations.

There must also be an expectation that the Scrutiny Panel will take a balanced view of the CDRP’s work and will consider both the ‘safer’ and ‘stronger’ elements of its work. In deciding on particular areas of work to focus on, the Panel will consider a range of criteria including public concern and community confidence, risk factors, the scale of the issue, value for money, performance and efficiency.

The CDRP Partners can expect reasonable notice to provide information for scrutiny or to attend a meeting and will be treated with respect by scrutiny Members when they do attend a meeting. As with all scrutiny, the role is about analysing what is going on, rather than levelling personal criticisms.

Similarly, when the CDRP is asked to respond to scrutiny recommendations, they can expect to be given a reasonable time period to produce such a response. It has been noted earlier that a maximum period of 8 weeks can be considered ‘reasonable’ in this context.

In addition to the ‘critical friend’ work, the Scrutiny Panel can act as a positive resource for the CDRP. The CDRP Leadership Group may suggest areas of work for the Scrutiny Panel – this approach can prove particularly fruitful where the CDRP is considering a new area or a change of approach and requires a piece of research to be carried out. The Scrutiny Panel will always carefully consider these suggestions for detailed pieces of work..

## **The Role of the Police Authority**

To date, there has been little direct involvement of Police Authority representatives in the local authority scrutiny of the CDRP. The role of the Police Authority can be summarised as being to scrutinise the work of the Police Force and ensure that the needs and concerns of the local community are met through its priorities. Within the terms of reference for the Joint Panel, it is stated that there will be one representative from the Police Authority on the scrutiny panel. This is in line with national guidance relating to scrutiny of CDRPs.

The intention of including a Police Authority representative on the Scrutiny Panel is to bring a different perspective, improved knowledge and add value to the scrutiny process.

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